

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S and)
ANTON MAYR,)
Plaintiffs,) C.A. No. 05-614-SLR
v.)
ACAMBIS INC. and)
ACAMBIS PLC,)
Defendants.)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Bavarian Nordic A/S and Anton Mayr, the plaintiffs in the above-captioned action, hereby appeal to the United States Court of Appeals for the Third Circuit from the Court's Judgment in a Civil Case, docketed May 16, 2007 (D.I. 157), as well as the Memorandum Opinion (D.I. 155) and Order (D.I. 156) dated May 15, 2007, granting defendants' motion for summary judgment.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

May 17, 2007

Karen L. Pascale
John W. Shaw (No. 3362) [jshaw@ycst.com]
Karen L. Pascale (No. 2903) [kpascale@ycst.com]
D. Fon Muttamara-Walker (No. 4646)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801
(302) 571-6600

BINGHAM McCUTCHEN LLP

Edward A. Pennington
Robert C. Bertin
Stephanie Scruggs
Krista L. Lynch
2020 K Street, N.W.
Washington, DC 20006
(202) 373-6000

Attorneys for Bavarian Nordic A/S and Anton Mayr

CERTIFICATE OF SERVICE

I, Karen L. Pascale, Esquire, hereby certify that on May 17, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Mary B. Graham [mbgefiling@mnat.com]
James Walter Parrett, Jr. [jparrett@mnat.com]
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200

I further certify that on May 17, 2007, I caused a copy of the foregoing document to be served on the above-listed counsel and on the following non-registered participants in the manner indicated:

By E-Mail and Hand Delivery

Mary B. Graham [mgraham@mnat.com]
James Walter Parrett, Jr. [jparrett@mnat.com]
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200

By E-Mail

William D. Coston [wdcoston@venable.com]
Martin L. Saad [mlsaad@venable.com]
Tamany Vinson Bentz [TJBentz@Venable.com]
VENABLE LLP
575 7th Street, NW
Washington, DC 20004-1601
(202) 344-4000

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Karen L. Pascale

Karen L. Pascale (No. 2903)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801
(302) 571-6600
Email: kpascale@ycst.com

Attorneys for Bavarian Nordic A/S and Anton Mayr